

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

|  |   |                  |
|--|---|------------------|
| -----  | X |                  |
|  | : |                  |
| JORGE ALMONTE ORTEGA, on behalf of himself and           | : |                  |
| all other persons similarly situated, et al.,            | : |                  |
|  | : |                  |
| Plaintiffs,  | : | 20-cv-3007 (BMC) |
| -against-  | : |                  |
|  | : |                  |
| ERNIE'S AUTO DETAILING, INC.; ERNESTO                    | : |                  |
| DECENA; AND BAY RIDGE AUTOMOTIVE                         | : |                  |
| MANAGEMENT CORP., and other entities controlled          | : |                  |
| by Bay Ridge Automotive Management Corp.,                | : |                  |
|  | : |                  |
| Defendants.  | : |                  |
| -----  | X |                  |
| ROBERT GUTIERREZ ROSARIO,                                | : |                  |
| individually and on behalf of others similarly situated, | : |                  |
|  | : | 20-cv-3762 (BMC) |
| Plaintiff,   | : |                  |
| -against-  | : |                  |
|  | : |                  |
| ERNIE'S AUTO DETAILING INC. d/b/a Ernie's Auto           | : |                  |
| Detailing Inc., et al.,                                  | : |                  |
|  | : |                  |
| Defendant.   | : |                  |
| -----  | X |                  |
| RAMON PEREZ, on behalf of himself, FLSA collective       | : |                  |
| plaintiffs and the class,                                | : |                  |
|  | : | 20-cv-4798 (BMC) |
| Plaintiff,   | : |                  |
| -against-  | : |                  |
|  | : |                  |
| ERNIE'S AUTO DETAILING, INC. and ERNESTO                 | : |                  |
| DECENA,  | : |                  |
|  | : |                  |
| Defendants.  | : |                  |
| -----  | X |                  |

COGAN, District Judge.

**ORDER**

This Court is presiding over the three cases captioned above, brought under the Fair Labor Standards Act and corresponding provisions of New York law. It has come to the

attention of the Court that the Secretary of Labor has commenced an action entitled Scalia v. Ernie's Auto Detailing Inc., No. 20-cv-17785 (D. N.J.), which raises similar allegations to those in the three cases. The Court invites the Secretary to advise this Court by January 30, 2021 whether he has any position with regard to consolidating these cases in one forum, or whether discovery should be coordinated, or whether the cases in this Court should be stayed pending the outcome of his New Jersey case, or anything else relating to the pendency of these four actions. Should the Secretary accept this invitation, any of the parties in the three cases listed above may reply within 14 days of the Secretary's submission. The parties are urged to confer with the Secretary to determine if complete or partial agreement can be reached as to the advice invited by this Order.

The Clerk of Court is directed to add the Secretary as an "Interested Party" to each of the three actions pending in this Court, using the following contact information, so that he receives notice of this Order:

**EUGENE SCALIA**  
*SECRETARY OF LABOR, U.S.*  
*DEPARTMENT OF LABOR*

represented by **AMY TAI**  
U.S. DEPARTMENT OF  
LABOR  
OFFICE OF THE SOLICITOR  
201 VARICK STREET  
ROOM 983  
NEW YORK, NY 10014  
646-264-3653  
Email: [tai.amy@dol.gov](mailto:tai.amy@dol.gov)  
*ATTORNEY TO BE NOTICED*

**SO ORDERED.**

Digitally signed by Brian M.  
Cogan  
\_\_\_\_\_  
U.S.D.J.

Dated: Brooklyn, New York  
January 15, 2021